

REMARKS

In the Office Action, Claims 1, 13 to 16, 28 to 31, 46 and 58 to 60 were provisionally rejected under the judicially-created doctrine of obviousness-type double patenting over Claims 1, 14, 26, 70 and 101 of co-pending Application No. 09/747,097. In addition, Claims 1 to 14, 16 to 29, 31, 46 to 59, 61 and 63 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,611,050 (Theimer) in view of U.S. Publication No. 2002/0007422 (Bennett) further in view of U.S. Publication No. 2002/0196460 (Parry), and Claims 15, 30, 60, 62 and 64 were rejected under 35 U.S.C. § 103(a) over Theimer in view of Bennett and Parry and further in view of U.S. Patent No. 5,633,932 (Davis).

Applicants wish to thank the Examiner for the courtesies and thoughtful treatment accorded Applicants's undersigned representative during the December 20, 2006 telephonic interview. Applicants submit that the following accurately summarizes the discussions and agreements reached during that interview.

With regard to the § 103 rejections, Applicants thank the Examiner for the indication that the rejections would be withdrawn. Specifically, it is Applicants' contention that none of the references, either alone or in any permissible combination, teach the claimed features of the claimed reservation queue and job queue function in conjunction with one another, or more specifically, in a case where the device determines that the device is not available for the user to obtain exclusive control of the device's capabilities, adding, by the device, the user to a reservation queue of users requesting to obtain exclusive control of the device's capabilities, and wherein, if the device provides exclusive control of the device's capabilities to the user when the user is at a first position

within the reservation queue, a job at a first position within the job queue, corresponding to a user other than the user who has been provided exclusive control of the device's capabilities, is deferred from being processed during a period in which the user, who has been provided exclusive control of the device's capabilities, maintains exclusive control of the device's capabilities.

Regarding the double patenting rejections, the Office Action contends that the claims of the instant application are obvious over the claims of the '097 application because both teach the general idea of deferring a print job during a period in which the user has control over the device. While this may be true in some respects, the claims of the present application nonetheless differ from the claims of the '097 application at least with regard to the feature of the reservation queue of users requesting to obtain control of the device. This feature is simply not present in the claims of the '097 application and therefore, we believe the rejections should be withdrawn. Moreover, the rejections are provisional since the claims of the '097 patent have not yet been patented and therefore, the claims of the present application should be passed to allowance.

In view of the foregoing, all of Claims 1 to 31 and 46 to 64 are believed to be allowable.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa,
California office at (714) 540-8700. All correspondence should be directed to our below
listed address.

Respectfully submitted,

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